

**UNITED STATES DISTRICT COURT  
CIVIL MOTION HEARING MINUTES**

Date: **01/22/2025**

Time: 10:15 a.m. – 11:58 a.m. (01:43)

12:20 p.m. – 1:16 p.m. (00:56)

2:18 p.m. – 3:24 p.m. (01:06)

(03:45)

Judge: **Patricia Tolliver Giles**

Reporter: **S. Wallace**

Civil Action Number: **1:16-cv-00563-PTG-WBP**

**Rosy Giron de Reyes, et al.,  
Plaintiffs,**

**V.**

**Waples Mobile Home Park Limited Partnership, et al.,**

**Defendants.**

Appearances of Counsel for Plaintiffs’ and Counsel for Defendants’.

<u>Counsel for Plaintiffs</u> <b>Nady Peralta</b> <b>Nicholas Michael DiCarlo (phv)</b> <b>Cyril Smith (phv)</b>	<u>Counsel for Defendants</u> <b>Michael Dingman</b> <b>Brooks Spears</b> <b>Grayson Hanes</b>
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Motion to/for:

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[454] Motion in Limine by Rosa Elena Amaya, Felix Alexis Bolanos, Herbert David Saravia Cruz, Rosy Giron de Reyes, Jose Dagoberto Reyes, Ruth Rivas, Yovana Jaldin Solis, Esteban Ruben Moya Yrapura. (Motions are contained within the [455] Memorandum in Support)

I - THE COURT SHOULD PRECLUDE DEFENDANTS FROM INTRODUCING EVIDENCE OF “BUSINESS NECESSITY” AT STEP TWO UNLESS THE EVIDENCE RELATES TO THE ACTUAL, CONTEMPORANEOUS REASONS FOR THE POLICY - **DENIED**

II - THE COURT SHOULD PRECLUDE DEFENDANTS FROM ELICITING EVIDENCE REGARDING ALLEGED “BUSINESS NECESSITIES” ARISING FROM INAPPLICABLE STATUTES – **CONCEDED – NOT ADDRESSED/RULED ON**

III - EVIDENCE OF DEFENDANTS' RELATIONSHIP WITH OR VIEWS TOWARD IMMIGRANTS AND THE LATINO COMMUNITY SHOULD BE EXCLUDED – **DENIED AS MOOT**

IV - THE COURT SHOULD RESTRICT CROSS-EXAMINATION REGARDING THE FEMALE PLAINTIFFS' IMMIGRATION STATUS - **GRANTED**

**Any Requests re: Jury Instructions are DENIED – to be addressed later.**

[456] DEFENDANTS' MOTION IN LIMINE TO EXCLUDE THE TESTIMONY OF IVAN YACUB, ESQ. – **GRANTED IN PART AND DENIED IN PART**

[458] DEFENDANTS' MOTION TO EXCLUDE ARGUMENT QUESTIONING ON WHETHER VALID INTERESTS FOR THE POLICY WERE IN PLACE AT THE TIME OF THE POLICY'S ADOPTION – **DENIED**

[460] DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OF DAMAGES – **RULING RESERVED. Request for bifurcation denied.**

[462] DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OF THE ETHNICITY OF INDIVIDUALS AT THE PARK ALLEGEDLY AFFECTED BY THE POLICY – **DENIED**

[465] DEFENDANTS' MOTION IN LIMINE TO EXCLUDE EVIDENCE OF LEASE MATERIALS AND THE PURPORTED "EVICTON" OF PLAINTIFFS – **GRANTED IN PART, DENIED IN PART, RESERVED IN PART**

[494] DEFENDANTS' MOTION TO EXCLUDE THE OPINIONS OF WILLIAM A.V. CLARK, PH.D. – **TAKEN UNDER ADVISEMENT**

[514] PLAINTIFFS' MOTION FOR PERMISSION TO INTRODUCE SELECT TRIAL TESTIMONY VIA VIDEOCONFERENCE OR, IN THE ALTERNATIVE, TO TAKE A DE BENE ESSE DEPOSITION – **GRANTED – THE COURT WILL ALLOW VIDEOCONFERENCE TESTIMONY**

[520] DEFENDANTS' MOTION TO ALLOW INTO EVIDENCE DEPOSITION TESTIMONY AND EXPERT REPORT OF UNAVAILABLE WITNESS GEORGE C. CARUSO, CPM, RAM, SHCM, HCCP - **TAKEN UNDER ADVISEMENT**

**ORDER TO FOLLOW.**